



NIXON PEABODY LLP
ATTORNEYS AT LAW

100 Summer Street
Boston, Massachusetts 02110-2131
(617) 345-1000
Fax: (617) 345-1300

Robert L. Dewees, Jr.
Direct Dial: (617) 345-1316
Direct Fax: (866) 947-1870
E-Mail: rdewees@nixonpeabody.com

September 26, 2006

Mary L. Cottrell, Secretary
Department of Telecommunications and Energy
One South Station
Boston, MA 02110

Re: Bay State Gas Company, D.T.E. 06-31

Dear Ms. Cottrell:

Enclosed for filing, on behalf of Bay State Gas Company ("Bay State"), please find the confidential attachment:

DTE BSG 3-10 (CONFIDENTIAL – LARGE BULK)

Bay State's response filed on September 15, 2006 referenced Monthly Sales Reports from 1997 to 2006 but the reports were not included with the response. Those reports are now being filed as a confidential attachment.

Also enclosed is a Motion for a Protective Order. The attachment to this response contains confidential and proprietary information and is subject to the non-disclosure agreement executed by the parties.

Please do not hesitate to telephone me or Patricia M. French, 508-836-7394, with any questions.

Very truly yours,

Robert L. Dewees, Jr.

Enclosure

cc: Caroline Bulger, Esq., Hearing Officer
Service List

COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF TELECOMMUNICATIONS AND ENERGY

RESPONSE OF BAY STATE GAS COMPANY TO THE
THIRD SET OF INFORMATION REQUESTS FROM THE DTE
D.T.E. 06-31

Date: September 15, 2006

Responsible: Stephen H. Bryant, President

CONFIDENTIAL BULK RESPONSE

DTE-BSG-3-10 Please provide all studies, analyses, reports etc. pertaining to sales and sales projections for the Company (prepared by either Bay State or by NiSource on behalf of Bay State) during the years 1997 through 2006.

RESPONSE: Below is a list of attachments pertaining to the Company's sales, sale projections, and sales performance for the years 1997 through 2006.

Attachment DTE-BSG-3-10 (a) for Monthly Sales Reports for 2006

Attachment DTE-BSG-3-10 (b) for Monthly Sales Reports for 2005

Attachment DTE-BSG-3-10 (c) for Monthly Sales Reports for 2004

Attachment DTE-BSG-3-10 (d) for Monthly Sales Reports for 2003

Attachment DTE-BSG-3-10 (e) for Monthly Sales Reports for 2002

Attachment DTE-BSG-3-10 (f) for Monthly Sales Reports for 2001

Attachment DTE-BSG-3-10 (g) for Monthly Sales Reports for 2000

Attachment DTE-BSG-3-10 (h) for Monthly Sales Reports for 1998

Attachment DTE-BSG-3-10 (i) for Monthly Sales Reports for 1997

Monthly Sales Reports for 1999 are unavailable.

Bay State Gas Company
D.T.E. 06-31
Attachment DTE-BSG 3-10 (a) through (i) CONFIDENTIAL (LARGE BULK)
Monthly Sales Reports 1997-2006
Filed September 26, 2006
Cover Page

**THE COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF TELECOMMUNICATIONS AND ENERGY**

Bay State Gas Company)
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D.T.E. 06-31

**MOTION OF BAY STATE GAS COMPANY
FOR A PROTECTIVE ORDER
OVER ATTACHMENT DTE BSG 3-10 (a) through (i)**

I. INTRODUCTION

Bay State Gas Company (“Bay State”) requests that the Department of Telecommunication and Energy (“Department”) grant protection from public disclosure, pursuant to G.L. c. 25, § 5D, for the attachment to the response to DTE BSG 3-10, because the attachment includes confidential information.

In support of its request for a protective order, Bay State states as follows.

II. LEGAL STANDARD

Confidential information may be protected from public disclosure in accordance with G.L. c. 25, § 5D, which states in part that:

The [D]epartment may protect from public disclosure, trade secrets, confidential, competitively sensitive or other proprietary information provided in the course of proceedings conducted pursuant to this chapter. There shall be a presumption that the information for which such protection is sought is public information and the burden shall be on the proponent of such protection to prove the need for such protection. Where the need has been found to exist, the [D]epartment shall protect only so much of the information as is necessary to meet such need.

The Department has frequently protected sensitive market information, and has determined that competitively sensitive information, such as price terms, can be protected.

Standard of Review for Electric Contracts, D.P.U. 96-39, at 2 (1996). The Department has determined that price terms should be protected in gas supply contracts, including “reservation fees or charges, demand charges, commodity charges and other pricing information”. Colonial Gas Company, D.P.U. 96-18, at 4 (1996). The Department has also determined that information which, if disclosed publicly, could have a chilling effect on bidding processes, such as responses to Requests for Proposal (“RFP”), should be protected. Finally, the Department is authorized to protect trade and business secret information, particularly of non-participating third parties. G.L. c. 25, § 5D.

III. THE MATERIALS ARE PROPRIETARY AND CONFIDENTIAL AND WARRANT PROTECTION FROM DISCLOSURE

A. Bay State’s Response to DTE BSG 3-10 labeled Attachment DTE BSG 3-10

CONFIDENTIAL, is Appropriately Protected from Public Disclosure.

DTE BSG 3-10: Please provide all studies, analyses, reports etc. pertaining to sales and sales projections for the Company (prepared by either Bay State or by NiSource on behalf of Bay State) during the years 1997 through 2006.

Attachment DTE BSG 3-10, CONFIDENTIAL contains confidential sales reports for Bay State and Northern Utilities along with sales, marketing and financial performance information for the Energy Products and Services businesses operated by Bay State. Also included are competitive sales reports and information about key customers, including customer names, locations and usage information. This information is considered to be competitively sensitive to Bay State and should not be disclosed publicly. The customer-specific information is considered confidential for the customer, and Bay State regularly protects customer-specific information from public disclosure.

The materials are not disseminated widely throughout Bay State. Further, there would be no public benefit in disclosure of this material. Accordingly, because this material is held confidentially within Bay State and includes competitively sensitive business and customer information, protection is proper under G.L. c. 25, § 5D.

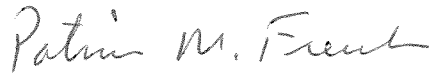
IV. CONCLUSION

For the reasons set forth above, Bay State requests that the Department protect from public disclosure Attachment DTE BSG 3-10 CONFIDENTIAL.

Respectfully submitted,

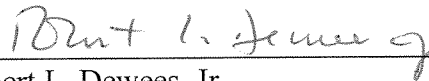
BAY STATE GAS COMPANY

By its attorneys,



Patricia M. French
Lead Counsel
NISOURCE CORPORATE SERVICES
300 Friberg Parkway
Westborough, MA 01581
Tel (508) 836-7394
Fax (508) 836-7039

and



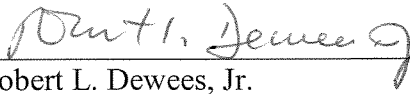
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Boston, MA 02110
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Fax (866) 947-1870

Dated: September 26, 2006

CERTIFICATION

I certify that I served today a copy of the attached Motion of Bay State Gas Company for a Protective Order by hand delivery, first class mail postage prepaid or electronically on the Department of Telecommunications and Energy and all parties on the service list on file with the Secretary of the Department of Telecommunications and Energy for this proceeding.

Dated at Boston, Massachusetts this 26th day of September 2006.


Robert L. Dewees, Jr.